



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C. 20460

AUG 05 2015

OFFICE OF  
SOLID WASTE AND  
EMERGENCY RESPONSE

**MEMORANDUM**

**SUBJECT:** Region 10 Request for Concurrence on Proposed Time-Critical Removal Action for the Upper Columbia River Site near Northport, WA

**FROM:** Gilberto Irizarry, Director  
Preparedness and Response Operations Division

*B. Sh. For*

**TO:** Reggie Cheatham, Acting Director  
Office of Emergency Management

This memorandum requests your approval of Region 10's request for concurrence on the Action Memorandum for the Upper Columbia River Site near Northport, WA. This removal is considered a time-critical removal action and the principal contaminant of concern is lead and/or arsenic. Region 10 believes this removal is considered nationally significant or precedent-setting because the removal action may affect other sovereign nations, including Indian Tribes (Action Memo Guidance, September 2009). The attached Region 10 Action Memo provides further detail on the site and the proposed actions.

Re-delegation of authority R-14-2 gives you the authority to concur on nationally significant or precedent setting removals. Based on information from the action memorandum, and discussions with Region 10, I recommend that you concur with this action as requested. Please indicate your decision on the concurrence memorandum.

The attached fact sheet provides a summary of the proposed action.

Attachments

**Upper Columbia River  
Northport, Washington  
Time Critical Removal Action**

**Region 10 Coordinator: Mike Faulkner**

**Site History:** The community of Northport is located along the eastern shoreline of the Upper Columbia River, approximately six miles south of the border with Canada and 35 miles north of Colville, Washington. Surrounding land use is primarily forestry and agricultural, with a number of rural residential properties. These residential properties and tribal allotments that are the focus of the time-critical removal action described herein, are located on land that is historically and culturally significant to both the Confederated Tribes of the Colville Reservation (Colville Confederated Tribes) and the Spokane Tribe of Indians.

This Upper Columbia River Site is currently the subject of a remedial investigation / feasibility study (RI/FS) to investigate contamination along the Upper Columbia River from the Grand Coulee Dam to the United States (U.S.)-Canada border related to historical smelting operations. As a part of field sampling activities for the RI/FS, the U.S. Environmental Protection Agency ("EPA") identified several residential properties and tribal allotments in the Columbia River valley north of the town of Northport, Washington, (population 295) which contained lead and/or arsenic at elevated levels.

Teck Metals, Inc. (TMI), a potentially responsible party ("PRP") at the Site, is currently negotiating a Settlement Agreement and Order on Consent ("Settlement Agreement") with EPA in accordance with the Comprehensive Environmental Response, Compensation, and Liability Act ("CERCLA") for the funding and performance of the removal action. Under that Settlement Agreement, Teck American, Inc. (TAI) would be the party performing the work, though both TAI and TMI will be held jointly and severally responsible for the work, and herein referred to as "Teck".

EPA is performing an RI/FS along the Upper Columbia River. The Upper Columbia River consists of the areal extent of hazardous substances contamination within the U.S. in or adjacent to the Upper Columbia River, including the Franklin D. Roosevelt Lake ("Lake Roosevelt"), from the border between the U.S. and Canada downstream to the Grand Coulee Dam.

A smelter owned by Teck located in Trail, British Columbia, on the Columbia River approximately 10 miles north of the U.S./Canada border has discharged metals-laden slag and liquid wastes into the Columbia River, as well as discharges from the smelter to the properties and allotments that are the subject of this removal action. Under the RI/FS, which is being funded by Teck, sampling has been conducted to determine levels of contamination in fish, river sediment, beach sediment, river water, and soil to support human health and ecological risk assessments.

**EPA Actions to Date:** In 2014, EPA collected and analyzed soil samples from residential properties in the Upper Columbia River Valley north of Northport, WA to the U.S.-Canada border to investigate potential airborne metals contamination. A total of 74 properties along both sides of the river were sampled. At each property, EPA identified representative decision units (DU) that had high human contact with soil (i.e., yards, gardens, play areas, etc.). A total of 237 DUs were sampled.

The action level (i.e., the level at which action is triggered) for lead ("Pb") is 700 milligrams per kilogram ("mg/kg"), and the removal action will result in achieving a cleanup level of 250 mg/kg or less, based on a project-specific determination by EPA (Memorandum from Richard Albright to Mr. Pendowski et al "Dispute Decision Regarding Upper Columbia River Action Levels for Time-Critical Removal Action Dispute, Upper Columbia River Superfund Site", April 21, 2015). The cleanup level for arsenic (As) is 20 mg/kg, based on the Washington State Model Toxics Control Act Method A Unrestricted use concentration. The results of the RI/FS sampling effort identified 17 properties,

including 14 residential properties and several tribal allotments, which contained lead at concentrations near or above the Site action level. May 2015, the EPA Region 10 Removal Program conducted a removal site evaluation at the site and confirmed the conditions.

**Proposed Actions:** EPA would require the PRP removal proposal to include the following actions:

- 1) develop and implement a site health and safety, perimeter air monitoring and sampling plans, and develop measures to control dust during the removal;
- 2) fully characterize site to determine nature and extent of contamination;
- 3) excavate any contaminated soil that may present an unacceptable risk to public health and the environment;
- 4) as necessary, deconstruct building to remove, excavate, load, and transport for the purposes of properly disposing of readily identifiable waste, debris, and underlying soil;
- 5) transport and dispose of or recycle all characterized or identified hazardous substances in accordance with EPA's off-site rule;
- 6) conduct confirmation sampling to verify efficacy of removal actions;
- 7) backfill excavated areas with verified clean material and topsoil and vegetate, as necessary to prevent erosion; and
- 8) take any other necessary response actions to address site related release or threat of release.

The PRP will propose a work plan to address the proposed actions and will include an estimate on-site working days to complete.

**Costs:** The recommended removal action is expected to be funded and conducted by Teck with oversight provided by EPA. However, if Teck is unwilling or unable to fund or conduct the recommended removal action, and EPA must undertake all removal action work, the total project ceiling is currently estimated to be \$5,291,850.

**Enforcement:** Teck is currently negotiating a Settlement Agreement and Order on Consent ("Settlement Agreement") with EPA in accordance with CERCLA for the funding and performance of the removal action. Under that Settlement Agreement, Teck American, Inc. (TAI) would be the party performing the work, though both TAI and TML will be held jointly and severally responsible for the work.

## ROUTING AND TRANSMITTAL SLIP

Date

08/04/15

TO: (Name, office symbol, room number,  
building, Agency/Post)

Initials

Date

1. Lee Tyner, OGC

JRT

08/04/15

2. Earl Salo, OGC

ES

8/5/15

3. Gilberto "Tito" Irizarry, Director, PROD

BGS FOR GT

9/5/15

4. Reggie Cheatham, Acting Director, OEM

RC

8/5/15

5. Brian Schlieger, Team Leader, PROD-PRT

BSV

8/6/15

6.

7.

8.

9.

10.

☒ Action☐ File☐ Note and Return☐ Approval☐ For Clearance☐ Per Conversation☐ As Requested☐ For Correction☐ Prepare Reply☐ Circulate☐ For Your Information☐ See Me☐ Comment☐ Investigate☐ Signature☐ Coordination☐ Justify

## REMARKS

Region 10 Request for Concurrence on Proposed Time-Critical Removal Action for the Upper Columbia River Site near Northport, WA

RECEIVED

AUG 19 2015

OFFICE OF  
ENVIRONMENTAL CLEANUPDO NOT use this form as a RECORD of approvals, concurrences, disposals,  
clearances, and similar actions

FROM: (Name, org. symbol, Agency/Post)

Brian Schlieger

Room No. - Bldg.  
B517FPhone No.  
(202) 564-3128OPTIONAL FORM 41 (Rev. 1-94)  
Prescribed by GSA

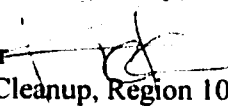


**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**  
**REGION 10**  
1200 Sixth Avenue, Suite 900  
Seattle, WA 98101-3140

OFFICE OF  
ENVIRONMENTAL CLEANUP

**MEMORANDUM**

**SUBJECT:** Request for concurrence on Proposed Nationally Significant Removal at the Upper Columbia River Site, near Northport, Washington

**FROM:** Richard Albright, Director   
Office of Environmental Cleanup, Region 10

**TO:** Reggie Cheatham, Acting Director  
Office of Emergency Management

The purpose of this memorandum is to request your concurrence on the proposed removal action at the Upper Columbia River Site (the Site) near Northport, Washington. The Site is not on the National Priorities List. OSWER Re-delegation of Authority R-14-2 gives you the authority to concur on nationally significant or precedent-setting removals at non-NPL sites.

The On-Scene Coordinator (OSC) has discussed this proposed removal with Brian Schlieger of the Office of Emergency Management Preparedness and Response Operations Division (PROD). Region 10 believes this removal is considered nationally significant or precedent-setting because the removal action may affect other sovereign nations, including Indian Tribes. (Action Memo Guidance, September 2009).

The Site consists of 14 residential properties in the Columbia River valley north of Northport, WA. Though the Site is a non-NPL site, it is currently the subject of a Remedial Investigation / Feasibility Study (RI/FS) to investigate contamination along the Upper Columbia River from the Grand Coulee Dam to the United States-Canada border related to historical smelting operations. As a part of field sampling activities for the RI/FS, the EPA identified several residential properties and tribal allotments in the Columbia River valley north of the town of Northport, Washington, which contained lead and/or arsenic at elevated levels. These residential properties are the focus of the time-critical removal action described herein, are located on land that is historically and culturally significant to both the Confederated Tribes of the Colville Reservation and the Spokane Tribe of Indians.

In May 2015, the EPA Region 10 Removal Program conducted a removal site evaluation. During this removal site evaluation, EPA prepared for the proposed removal action by documenting the condition and layout of each property designated for cleanup and coordinating with each of the property owners.

Teck Metals, Inc., a potentially responsible party at the Site, is currently negotiating a Settlement Agreement and Order on Consent with EPA in accordance with the Comprehensive Environmental Response, Compensation, and Liability Act for the funding and performance of the removal action.

Under that Settlement Agreement, Teck American, Inc. would be the party performing the work, though both TAI and TML will be held jointly and severally responsible for the work.

Staff-to-staff level coordination has occurred between the EPA and the Confederated Tribes of the Colville Reservation regarding the proposed time-critical removal action. EPA offered formal government-to-government consultation to the Chairmen of the Confederated Tribes of the Colville Reservation and the Spokane Tribe of Indians on May 27, 2015. On July 7, 2015, the Colville Tribe Business Council accepted the offer of consultation and a meeting between EPA and Council occurred on July 21, 2015, in Nespelem, Washington. Two prominent topics discussed in the consultation include the Council's desire to be informed of and participate in any ongoing and future negotiations between EPA and Teck and the Council's desire for a long-term cleanup plan for the overall Upper Columbia River Site in general and the tribal allotments in particular.

The Action Memorandum is attached for your review. My approval awaits your concurrence.

Concur:



Acting Director, Office of Emergency Management

8/5/15  
Date

The re-delegation authority provides that the authority to withhold concurrence rests with the Assistant Administrator. If you choose not to concur on this action, please forward this memorandum to the Assistant Administrator.

Non-Concur:

Assistant Administrator for Solid Waste and Emergency Response

Date





# UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 10  
1200 Sixth Avenue, Suite 900  
Seattle, WA 98101-3140

OFFICE OF  
ENVIRONMENTAL CLEANUP

D-R-A-F-T  
(29 July 2015)

**SUBJECT:** Action Memorandum for the Upper Columbia River Site Residential Properties and Tribal Allotments Soil Removal near Northport, Stevens County, Washington

**FROM:** Jeffrey Fowlow, Federal On-Scene Coordinator  
Emergency Preparedness and Prevention Unit

**THRU:** Wally Moon, Unit Manager  
Emergency Preparedness and Prevention Unit

**TO:** Chris D. Field, Manager  
Emergency Management Program

## I. PURPOSE

The purpose of this Action Memorandum is to document approval of the time-critical removal action ("TCRA") described herein for the Upper Columbia River Site Residential Properties and Tribal Allotments Soil Removal near Northport, Stevens County, Washington (Site).

The Upper Columbia River Site is currently the subject of a remedial investigation / feasibility study (RI/FS) to investigate contamination along the Upper Columbia River from the Grand Coulee Dam to the United States (U.S.)-Canada border related to historical smelting operations. As a part of field sampling activities for the RI/FS, the U.S. Environmental Protection Agency ("EPA") identified several residential properties and tribal allotments<sup>1</sup> in the Columbia River valley north of the town of Northport, Washington, which contained lead and/or arsenic at elevated levels. These residential properties and tribal allotments that are the focus of the time-critical removal action described herein, are located on land that is historically and culturally significant to both the Confederated Tribes of the Colville Reservation (Colville Confederated Tribes) and the Spokane Tribe of Indians.

Teck Metals, Inc. (TMI), a potentially responsible party ("PRP") at the Site, is currently negotiating a Settlement Agreement and Order on Consent ("Settlement Agreement") with EPA in accordance with the Comprehensive Environmental Response,

<sup>1</sup> For the purpose of this Action Memo, the term "allotment" refers to parcels of land outside the borders of an established Indian reservation that are owned by private tribal members.

## CONCURRENCES

SYMBOL <	06C SWP20	06C SWP20	06C SWP20					
SURNAME <	Tyner	SWP	SWP					
DATE <	8/4/15	8/5/15	8/5/15					